

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE "GOVERNING BODY") OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE CITY), TO VACATE AND/OR ABANDON A 5' DRAINAGE/UTILITY EASEMENT ON EACH SIDE OF THE COMMON PROPERTY LINE BETWEEN LOTS 22 AND 23, DIAMONDHEAD PHASE 2, UNIT 9, BLOCK 2, HANCOCK COUNTY LOCATED WITHIN THE CITY

WHEREAS the Mayor and City Council (the Governing Body) of the City of Diamondhead, Mississippi (the City), acting for and on behalf of the City, hereby finds and determines as follows:

1. The City currently has a 5' drainage/utility easement on each side of the common property line between lots 22 and 23, Diamondhead Phase 2, Unit 9, Block 2.
2. Tim Bryne is the owner of lots 22 and 23, Diamondhead Phase 2, Unit 9, Block 2. The parcel number is 067D-0-26-010.000. The physical street address is 11444 Haleiwa Place.
3. Further, the City hereby abandons and/or vacates the drainage/utility easements for the full width and length as petitioned except for the front and rear drainage and utility easement. These drainage/utility easements are 5' drainage and utility easements on each side of the common property line between lots 22 and 23, Diamondhead Phase 2, Unit 9, Block 2.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY, AS FOLLOWS:

4. SECTION 1. That the Governing Body of the City will hereby abandon the selected drainage/utility easements with respect to lots 22 and 23, Diamondhead Phase 2, Unit 9, Block 2, described in bullet #3. The Diamondhead Public Works, Diamondhead Water & Sewer District and CEPA do not have any objections.

SECTION 2. It is agreed and understood that Tim Byrne will be responsible for the filing of all necessary documents with the Chancery Clerk of Hancock County, Mississippi.

The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilmember Cumberland, seconded by Councilmember Liese and the question being put to a roll call vote, the result was as follows:

	Aye	Nay	Absent
Councilmember Finley	<u>✓</u>	—	—
Councilmember Liese	<u>✓</u>	—	—
Councilmember Cumberland	<u>✓</u>	—	—
Councilmember Clark	<u>✓</u>	—	—
Councilmember Maher	<u>✓</u>	—	—
Mayor Depreo	<u>✓</u>	—	—

The motion having received the affirmative vote of a majority of all the members of the Governing Body, the Mayor declared the motion carried and the resolution adopted, this the 7 day of November, 2023.

Mayor Nancy Depreo  
MAYOR

ATTEST:

Marnie Klein  
CITY CLERK

